

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEREMY ZIELINSKI,

Plaintiff,

v.

JOANNE M. DEFREEST, JAY P.
DRISCOLL, CHRISTOPHER MCNEILL and
CHRISTINE M. CONNOLLY,

Defendants.

No. 12 Civ. 1160 (JPO)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying (1) Memorandum of Law in Support of Defendants' Motion To Dismiss the Complaint, and (2) the Declaration of Ellen Blain, dated May 11, 2012, and exhibits thereto, defendants United States Probation Officers Joanne M. DeFreest, Jay P. Driscoll, Christopher McNeill and Christine M. Connolly, by their attorney, Preet Bharara, United States Attorney for the Southern District of New York, hereby move this Court for an order dismissing the complaint against them for lack of subject matter jurisdiction, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, and for failure to state a claim, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1(b), responsive papers, if any, shall be served no later than May 25, 2012. Reply papers, if any, shall be served within seven days after service of the responsive papers.

Date: May 11, 2012
New York, New York

PREET BHARARA
United States Attorney for the
Southern District of New York
Attorney for Defendants

By: /s/ Ellen Blain
ELLEN BLAIN
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Tel.: (212) 637-2743
Fax: (212) 637-2730